

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 05-30001-001

STEVEN WILLARD

DEFENDANT

O R D E R

Now on this 30th day of August, 2005, come on for consideration defendant's **Application To Proceed Without Prepayment Of Fees** (document #34) and **Motion And Affidavit For Permission To Appeal In Forma Pauperis** (document #35). These documents indicate that defendant is currently incarcerated and without income, but also indicate that he has already paid an attorney \$15,000 "for representation in both the State criminal proceedings and the federal proceedings that are the subject of this appeal." This statement calls into question which of the benefits of **28 U.S.C. §1915** defendant seeks to obtain. The Court will, therefore, set this matter down for hearing on the pending motions.

IT IS THEREFORE ORDERED that the pending motions will be heard at 11:00 a.m., September 26, 2005, in the United States Courthouse, 402 North Walnut, Room 238, Harrison, Arkansas.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE